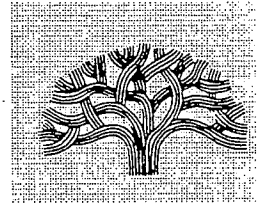


EXHIBIT B

CITY OF OAKLAND



ONE FRANK H. OGAWA PLAZA • 6TH FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney
John A. Russo
Charles E. Vose
Senior Deputy City Attorney

September 7, 2007

(510) 238-3601
FAX: (510) 238-6500
(510) 238-2961

By U.S. Mail and Facsimile (510) 465-1501

Ms. Catherine R. Douat, Esq.
Law Offices of Steven R. Jacobsen
901 Clay Street
Oakland, CA 94607

Re: Ortega, et al v. City of Oakland, et al, Case No. C07-02659 JCS

Dear Ms. Douat:

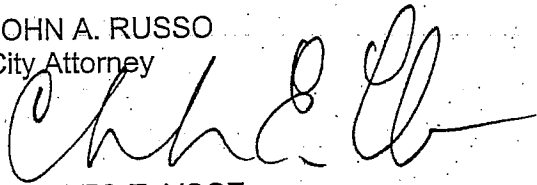
I have reviewed the (revised) First Amended Complaint (FAC) in the above-entitled matter that I received this afternoon. It appears to address all of the concerns raised by the City with respect to the original complaint on file in this matter. Therefore, with the understanding that you intend to file this FAC, I will withdraw the pending 12(b)(6) Motion. In addition, I will accept service of the FAC for all of the defendants in the matter.

Please let me know if you have any questions.

Very truly yours,

JOHN A. RUSSO
City Attorney

By:


CHARLES E. VOSE
Senior Deputy City Attorney

CEV:cr